

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Jami Marino		
	Debtor(s)	CHAPTER 13
M&T Bank		
	Movant	
vs.		
Jami Marino		NO. 18-18171 ELF
	Debtor(s)	
Wayne A. Laspee		
	Co-Debtor	
William C. Miller Esq.		11 U.S.C. Section 362 and 1301
	Trustee	

**MOTION OF M&T Bank
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362 and 1301**

1. Movant is M&T Bank.
2. Debtor and Wayne A. Laspee, co-debtor are the owner(s) of the premises 820 Avenue F, Langhorne, PA 19047, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$189,394.00 on the mortgaged premises that was executed on August 15, 2014. Said mortgage was recorded on August 23, 2012 at Instrument Number 2012069992 The Mortgage was subsequently assigned to Movant by way of Assignment of Mortgage recorded on June 13, 2018, at Instruments Number 2018031345 in Bucks County.
4. William C. Miller Esq., is the Trustee appointed by the Court.
5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).
6. Debtor and Wayne A. Laspee, co-debtor have failed to make the monthly post-petition mortgage payments in the amount of \$1,571.26 for the months of April 2019 through July 2019. The debtor's suspense balance is \$0.74.
7. In addition to the other amounts due to Movant reflected in this Motion, as of the date hereof, in connection with seeking the relief requested in this Motion, Movant has also incurred \$850.00 in

legal fees and \$181.00 in legal costs. Movant reserves all rights to seek an award or allowance of such fees and expenses in accordance with applicable loan documents and related agreements, the Bankruptcy Code and otherwise applicable law.

8. The total amount necessary to reinstate the loan post-petition is \$6,284.30 (plus attorney's fees & costs).

9. Debtor is currently delinquent in plan payments to the Chapter 13 Trustee in the amount of \$320.00.

10. Movant is entitled to relief from stay for cause.

11. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/ Rebecca A. Solarz, Esquire

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